

SENATE BILL NO. 106

INTRODUCED BY S. FITZPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING VEHICLE AND VESSEL TITLE TRANSFER LAWS; ADDING DEFINITIONS TO INCLUDE MANUFACTURED HOMES AND MOBILE HOMES WITH A CERTIFICATE THAT HAS BEEN ISSUED AS ELIGIBLE FOR NONPROBATE TRANSFERS BY USE OF A BENEFICIARY DESIGNATION FORM; AMENDING SECTION 61-3-226, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 61-3-226, MCA, is amended to read:

**"61-3-226. Certificate of title -- transfer on death.** (1) The owner or joint owners of a vehicle or vessel may arrange for nonprobate transfer of the vehicle's or vessel's title at the time of death of the owner or last surviving joint owner by completing the beneficiary designation on the application for certificate of title prescribed by the department.

(2) The beneficiary designation must include fields for the following information:

(a) the make, model, year, and vehicle identification number of the vehicle or vessel;

(b) the name and signature of the owner or every joint owner of the vehicle or vessel, signed under penalty of unsworn falsification as provided in 45-7-203; and

(c) the name of the beneficiary or the names of the beneficiaries of the vehicle or vessel.

(3) (a) A beneficiary designation is perfected when it is submitted to the department with an application for certificate of title and if it provides the information and signatures required in subsection (2).

(b) An instrument for the testamentary transfer of a vehicle or vessel does not invalidate a perfected beneficiary designation.

(4) The owner or joint owners of a vehicle or vessel may revoke a perfected beneficiary designation by:

(a) transferring the vehicle or vessel to the beneficiary or a third party before death; or

(b) submitting a new beneficiary designation with an application for certificate of title.

